

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

AMERICAN ALLIANCE FOR
EQUAL RIGHTS,

Plaintiff,

v.

JAMES BENNETT, in his official capacity as
Director of the Illinois Department of Human
Rights; KWAME RAOUL, in his official
capacity as Attorney General of the State of
Illinois; and ALEXI GIANNOULIAS, in his
official capacity as Secretary of State of the
State of Illinois,

Defendants.

Case No. 1:25-cv-00669

Judge Coleman

UNITED STATES' MOTION TO INTERVENE

The United States of America (“United States”), under Federal Rule of Civil Procedure (“Rule”) 24, respectfully moves this Court for leave to intervene in this action and to file the attached Complaint in Intervention.

As grounds for its motion to intervene, the United States asserts the following facts, which are set forth more fully in the accompanying memorandum of law:

1. On January 21, 2025, Plaintiff American Alliance for Equal Rights (“AAER”) filed this lawsuit challenging the enactment of Illinois Senate Bill 2930 (“SB 2930”). *See* 805 Ill. Comp. Stat. § 105/114.15. SB 2930, which went into effect on January 1, 2025, forces qualifying nonprofits to gather and publicize several categories of sensitive demographic data, including race, for its directors and officers.

2. Plaintiff is a nationwide membership organization dedicated to ending racial and other unlawful preferences nationwide. Plaintiff asserts that SB 2930 encourages charitable

organizations, including at least two of its members, to discriminate based on race in violation of the Equal Protection Clause of the Fourteenth Amendment and compels speech in violation of the Free Speech Clause of the First Amendment.

3. The United States seeks to intervene in this lawsuit against the Defendants, the State of Illinois, and Illinois Governor JB Pritzker under Rule 24.

4. Rule 24(a)(1) provides that, “[o]n timely motion, the court must permit anyone to intervene who . . . is given an unconditional right to intervene by a federal statute.”

5. Section 902 of the Civil Rights Act of 1964, as amended, grants the United States an unconditional right to intervene in cases seeking relief from the alleged denial of equal protection of the laws under the Fourteenth Amendment to the United States Constitution on account of race, if the Attorney General certifies that the case is of general public importance. 42 U.S.C. § 2000h-2.

6. The United States’ Complaint in Intervention alleges SB 2930 violates the Equal Protection Clause of the Fourteenth Amendment on account of race.

7. The Attorney General has certified this is a case of general public importance. That Certificate of the Attorney General is attached hereto as Exhibit 1.

8. Alternatively, Rule 24(b) provides for permissive intervention upon a timely motion when a potential party “has a claim or defense that shares with the main action a common question of law or fact,” and when intervention will not “unduly delay or prejudice the adjudication of the original parties’ rights.” The United States has satisfied the requirements for permissive intervention here.

9. The United States’ Complaint in Intervention is attached hereto as Exhibit 2.

10. Counsel for the United States has conferred with Counsel for AAER who advise they do not oppose intervention by the United States. Counsel for the United States has also conferred with the Illinois Attorney General's office, counsel for the State of Illinois and Defendants, who stated they are unable to take a position on intervention until they see the motion.

WHEREFORE, the United States respectfully requests this Court grants its motion to intervene in this action.

Dated: March 4, 2025

Respectfully submitted,

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Acting Associate Attorney General

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Deputy Associate Attorney General

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By: /s/ Hilary F. Pinion
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